

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JAMES RONALD LOWE,

Plaintiff,

VS.

ANDREW SAUL, COMMISSIONER,
SOCIAL SECURITY ADMINISTRATION,

Defendant.

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NO. 4:19-CV-053-A

ORDER

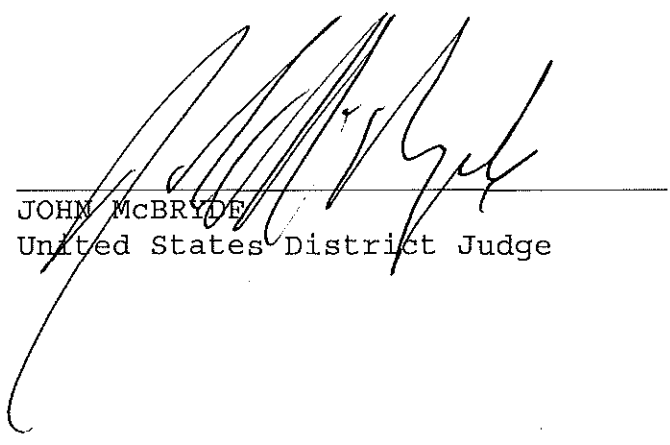
Came on for consideration the above-captioned case wherein James Ronald Lowe is plaintiff and the Commissioner of Social Security, Andrew Saul, ("Commissioner") is defendant. This is an action for judicial review of a final decision of the Commissioner denying plaintiff's claim for a period of disability and disability insurance benefits under the Social Security Act. On April 16, 2020, the United States Magistrate Judge issued his proposed findings and conclusions and his recommendation ("FC&R"), and granted the parties until April 30, 2020, in which to file and serve any written objections thereto.

On April 29, 2020, plaintiff filed what purports to be an objection to the FC&R, however, the document simply states that plaintiff met his burden of proof and that he is disabled. As the Magistrate Judge cautioned, failure to file specific objections to particular factual findings or legal conclusions

bars a party, except on grounds of plain error or manifest injustice, from attacking on appeal the FC&R accepted by the court. Douglass v. United Servs. Auto. Ass'n, 79 F.3d 1415, 1428-29 (5th Cir. 1996). Plaintiff has not shown that any particular finding or conclusion of the magistrate judge is erroneous. The court has reviewed the record in any event and finds that the decision of the ALJ is not erroneous.

The court accepts the recommendation of the magistrate judge and ORDERS that the decision of the Commissioner that, based on the application for a period of disability and disability insurance benefits protectively filed on October 8, 2015, plaintiff, James Ronald Lowe, is not disabled under sections 216(i) and 223(d) of the Social Security Act, be, and is hereby, affirmed.

SIGNED April 30, 2020.



JOHN MCBRYDE
United States District Judge